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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

E-FILED - 3/8/07

JOHN HOU,

Plaintiff,

v.

ALBERTO GONZALES, Attorney General
 of the United States;
 ROBERT MUELLER, Director of FBI;
 MICHAEL CHERTOFF, Secretary
 of the Department of Homeland Security;
 EMILIO T. GONZALEZ, Director
 of the United States Citizenship and Immigration
 Services;
 FRANK D. SICILIANO, Officer in Charge
 of the San Jose Citizenship and Immigration
 Service sub-office, in his official capacity,

Defendants.

No. C 06-7358 RMW

**STIPULATION TO DISMISS; AND
 [] ORDER**

Plaintiff, by and through his attorney of record, and Defendants, by and through their attorneys of record, hereby stipulate, subject to the approval of the Court, to dismissal of the above-entitled action without prejudice in light of the fact that the United States Citizenship and Immigration Services is now prepared to grant Plaintiff's application for naturalization and agrees to do so within 30 days of the dismissal of this action. *See* 8 U.S.C. 1447(b).

Each of the parties shall bear their own costs and fees.

Stipulation to Dismiss
 C06-7358 RMW

1 Date: February 28, 2007

Respectfully submitted,

2 SCOTT N. SCHOOLS
United States Attorney

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4
5 /s/
ILA C. DEISS
Assistant United States Attorney
6 Attorneys for Defendants

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9 Date: February 28, 2007

/s/
GREGORY G. RHEAMS
Attorney for Plaintiff

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13 **ORDER**

14 Pursuant to stipulation, IT IS SO ORDERED.

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16 Date: 3/8/07

Ronald M. Whyte

RONALD M. WHYTE
United States District Judge